



Policy: 4190
Procedure: 4190.05
Chapter: Secure Facilities
Rule: Religious Accommodations

Effective: 01/06/06
Replaces: 4190.08
Dated: 11/13/02

Purpose:

The Arizona Department of Juvenile Corrections (ADJC) shall provide juveniles reasonable accommodations of religious observance without compromising the security of the secure facility, its employees, visitors, and juveniles.

Rules:

1. Department-wide Issues - The **CHAPLAIN COORDINATOR IN CONSULTATION WITH THE SUPERINTENDENT OR ADMINISTRATORS**, shall:
 - a. Make recommendations to the Director regarding Department-wide religious issues;
 - b. Provide verbal and/or written directions for use by Chaplains in resolving issues related to religious publications, diets, articles, apparel, practices, and observances.
2. The **SUPERINTENDENT** shall provide an appropriate area in each secure facility for religious activities.
 - a. Chapel space shall be available to all faiths for services or religious activities;
 - b. Religious symbols of a faith group may be displayed during a religious service or activity, but shall be removed and stored at all other times;
 - c. Permanently affixed religious symbols shall remain but other religious symbols must be adapted into the chapel space as the need arises and/or the symbols become available;
 - d. Religious symbols shall reflect the representation of juvenile religious diversity.
3. Religious Claims - The **SUPERINTENDENT OR ADMINISTRATOR** shall:
 - a. Consult with the facility Chaplain on the validity of a juvenile's religious claim;
 - b. Ensure that juveniles who follow faith belief systems requiring special observances are accommodated, unless such activities would threaten the safe, secure, and orderly operation of the secure facility.
4. The **CHAPLAIN COORDINATOR** shall consult with a denominational representative regarding appropriate religious publications and materials, special religious diets, or other special requirements of a juvenile's faith belief system.
5. **EMPLOYEES** shall permit religious items in accordance with Policy 4091.04 Religious Activities, and the following:
 - a. Religious articles as personal property shall conform to the juvenile's religious preference which is on record;
 - b. No religious items without approval from the Chaplain and the Security Captain;
 - c. Candles - Candles may be used only in group worship and only when such services are supervised by a Chaplain and/or Security;
 - d. Smudging paraphernalia - Smudging by Native Americans is permitted under the advisement of the Native American Liaison, outside only.
 - e. Incense burning - Incense burning is not permitted;
 - f. Sacramental wine:
 - i. **ONLY THE PRIEST, CHAPLAIN OR RELIGIOUS LEADER** may use no more than three ounces of wine if required by the religious tenets;
 - ii. **NO ONE ELSE** shall partake of sacramental wine;
 - iii. The **PRIEST, CHAPLAIN, OR RELIGIOUS LEADER** shall remove the wine from the secure facility after use in the service.

6. Request for work/school abstinence – **ALL JUVENILES MAINTAINING THE PRACTICE OF A RELIGION** that requires periodic work abstinence may request to refrain from work/school on certain Holy Days.
 - a. The **CHAPLAIN** shall provide ADJC employees with instruction concerning a juvenile's request for work/school abstinence.
 - b. A **JUVENILE WHO REQUESTS TO ABSTAIN FROM WORK/SCHOOL** shall remain in his/her housing unit and further refrain from recreation activities, shopping at the juvenile canteen, etc. However, the **JUVENILE** may leave his/her housing unit to accomplish routine secure facility practices when so directed by an employee (such as showers, meals; etc.)
7. Requests for food abstinence – Food abstinence is not mandatory, but **JUVENILES** maintaining the practice of a religion that requires seasonal or periodic fasting or abstinence may request fasting or food abstinence.
 - a. **CHAPLAINS** shall provide employees with information concerning juveniles who are maintaining a religious practice and are requesting food abstinence;
 - b. **EMPLOYEES** shall allow juveniles, who are requesting to refrain from food on designated Holy Days, not to go to the dining hall unless there is not sufficient supervisory coverage and shall not penalize the juvenile for failure to receive meals.
8. Religious Diets:
 - a. **SECURE FACILITY EMPLOYEES** shall provide juveniles who wish to observe religious dietary laws a diet that meets the documented requirements of their faith belief system;
 - b. **JUVENILES** may apply for, and remain in compliance with, religious restricted diets in accordance with the food service system;
 - c. **EMPLOYEES** shall consult with the Chaplain for written recommendations for approval, monitoring, or continuance/discontinuance of religious restricted diets in accordance with the food service system.
9. Native American Ceremonies/Sacred Property - Sacred Sweat Lodge (Purification Lodge) - Sweat lodge ceremonies are religious ceremonies held for the purification of the participant. They are generally three to four hours in length and shall not be interrupted except for legitimate security concerns. If necessary, **EMPLOYEES** shall require participants to vacate the area rather than enter the lodge during a ceremony.
 - a. Sweat Lodges shall be located on the grounds of secure facilities where a sufficient number of Native American juveniles are identified and where a request has been made for a sweat lodge. The lodge shall be constructed in an area approximately 30 by 40 feet, under the guidance of an approved Native American volunteer or the Native American liaison. (See Form 4190.05B):
 - i. The lodge site and all associated storage areas are subject to search. Because this is a sacred area, **DESIGNATED EMPLOYEES** shall search this area only with the approval of the shift commander with prompt notification to the Superintendent and the Native American Liaison and/or Chaplain;
 - ii. The **PARTICIPANTS** shall keep the lodge site clean at all times. The site shall include a secure place to store religious items and materials. The **PARTICIPANTS** shall maintain the site and store ceremonial supplies;
 - iii. **NATIVE AMERICAN LIAISON OR HIS/HER DESIGNEE** shall operate Sweat Lodge ceremonies according to a schedule published by the Native American Liaison or Chaplain;
 - iv. The **NATIVE AMERICAN LIAISON** shall also publish a list of approved participants based on Native American ethnicity.
 - (1) The only requirement for juvenile participation in Native American religious events is Native American ethnicity. Even if the juvenile's religious preference of record is different, ethnic origin is the determining factor;

- (2) For juveniles currently not identified as Native American ethnically, **EACH JUVENILE** shall provide verification prior to the authorization of privileges. Verification shall include evidence that the juvenile is:
 - (a) Descended from an US Indian Tribe; [S/he may have a valid Bureau of Indian Affairs (BIA) or Tribal number.]
 - (b) Presently a member of an US Indian Community;
 - (c) Duly recognized by a US Indian Community.
- (3) The **NATIVE AMERICAN LIAISON OR HIS/HER DESIGNEE** may hold ceremonies on a weekly basis and may be assisted by Native American spiritual advisors, when available.
- v. **PARTICIPANTS** shall wear shorts covering the genital and buttocks areas. Female participants shall wear shorts, shirts or T-shirts, and brassieres. The lodge area may be screened with a wooden fence or other material for privacy and respect without jeopardizing security.
10. **NATIVE AMERICAN LIAISON OR HIS/HER DESIGNEE** may conduct Talking Circles. S/he shall determine the frequency and details of these religious ceremonies through the Chaplain.
11. Pipe Ceremonies are religious ceremonies involving the use of the Sacred Pipe. No one with the exception of the Native American Facilitator shall use the Sacred Pipe. **NATIVE AMERICAN LIAISON OR HIS/HER DESIGNEE** shall only conduct Pipe Ceremonies, including smudging, outdoors.
12. Sacred/Ceremonial Property – **SECURITY EMPLOYEES** shall inspect all sacred items approved by the Native American Liaison prior to introduction into the secure facility/housing unit.
 - a. **EMPLOYEES** shall allow Native American Juveniles keep possession of the following property:
 - i. Medicine bag and its contents;
 - ii. Headband; and
 - iii. Any other traditional items and materials sanctioned by the Native American Liaison.
 - b. The **CHAPLAIN** shall supervise, inventory gourds, willow, staffs, lava rocks and other approved sacred/ceremonial items, and store them in a secure area at the Sweat Lodge area.
 - c. Employees with Native American property questions shall consult the Native American Liaison.
 - i. **EMPLOYEES** shall not allow juveniles who are in Separation to possess the sacred herbs in their living area;
 - ii. **EMPLOYEES** shall keep the sacred herbs in a secure area designated by the Superintendent or Administrator;
 - iii. If a supply is available, **EMPLOYEES** shall allow the juvenile access for the purpose of smudging.
 - d. **JUVENILES AND OTHER PARTICIPANTS** may wear headbands only during Native American religious ceremonies and at no other time or place. These ceremonies include:
 - i. Religious ceremonies on Sweat Lodge grounds;
 - ii. Talking Circles, irrespective of place conducted;
 - iii. Special Annual Religious Events, irrespective of place conducted;
 - iv. Personal ceremonies in the juvenile's own room.

Effective Date:	Approved by Process Owner:	Review Date:	Reviewed By:
01/17/06	Dianne L. Gadow		